

REMARKS/ARGUMENTS

Status of Claims

Claims 1, 3, 5-13, 16-20, 22-24, 27 and 28 are pending. Claims 2, 4, 14, 15, 21 and 25-26 have been cancelled.

Claims 1, 3, 5-10, 12, 13, 16, 17, 19, 20 and 22-24 have been amended by this response.

Claim Rejections – 35 U.S.C. 103

The Examiner rejects former claims 1-3, 6, 10-14, 20-22 and 27-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,761,193 (“Derango”) in view of NPL: Ericsson, Motorola, Siemens, Nokia, User Requirements V1.1.1 (2003-10) (“Ericsson”). The Examiner also rejects former claims 5, 7-9, 16-19 and 23-24 under 35 U.S.C. 103(a) as being unpatentable over Derango in view of Ericsson and in further view of additional cited art.

However, Derango has little or nothing to do with Applicant’s claims because in Derango talkgroup identifiers are not even provided to a user device. This is explained in detail in Applicant’s previous response dated December 4, 2009.

Furthermore, Applicant does not concede that Ericsson is even citable prior art. Even if Ericsson is citable prior art, Applicant does not concede that the former claims would be unpatentable over Derango in view of Ericsson.

Notwithstanding this, in order to expedite prosecution, the claims have been amended in order to incorporate subject matter that the Examiner concedes to be allowable. An overview of this amendment is provided below.

- Independent claim 1 has been amended in order to incorporate subject matter from non-rejected claim 4 together with intervening claim 2. Claims 2 and 4 have been cancelled. Additionally, claim dependencies have been amended as appropriate.

- Independent claim 13 has been amended in order to incorporate subject matter from non-rejected claim 15 together with intervening claim 14. Claims 14 and 15 have been cancelled. Additionally, claim dependencies have been amended as appropriate.
- Independent claim 20 has been amended in order to incorporate features similar to those recited in claim 13. Claim 21 has been cancelled. Additionally, claim dependencies have been amended as appropriate.

Therefore, the pending claims as amended incorporate subject matter that the Examiner concedes to be allowable.

Seeing as though the pending claims as amended incorporate subject matter that the Examiner concedes to be allowable, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 3, 5-13, 16-20, 22-24, 27 and 28 under 35 U.S.C. 103(a). Applicant expressly reserves the right to submit further arguments for any one or more of the rejected claims at a later time.

Conclusion

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance. Therefore, issuance of a Notice of Allowance in a timely manner is requested.

Respectfully submitted,

RAO, PADAKANDLA KRISHNA

By _____
Paul den Boef
Reg. No. 62,415

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PDB